

## UNITED STATES DISTRICT COURT

for the  
Western District of Washington

In the Matter of the Search of \_\_\_\_\_  
 (Briefly describe the property to be searched  
 or identify the person by name and address) \_\_\_\_\_ )  
 Information associated with Nine (9) Target Accounts \_\_\_\_\_ )  
 for Investigation of 18 U.S.C. § 1343 and Other \_\_\_\_\_ )  
 Offenses, more fully described in Attachments A and C. \_\_\_\_\_ )  
 Case No. MJ21-360

## APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

Five (5) Facebook Accounts and Four (4) Twitter Accounts more fully described in Attachments A and C, incorporated herein by reference.

located in the Northern District of California, there is now concealed (*identify the person or describe the property to be seized*):

See Attachments B and D, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. § 1342	Wire Fraud
18 U.S.C. § 1348	Securities Fraud

The application is based on these facts:

See Affidavit of FBI SA Kathleen Moran, continued on the attached sheet.

Delayed notice of days (give exact ending date if more than 30 days: \_\_\_\_\_) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented:  by reliable electronic means; or:  telephonically recorded.



Applicant's signature

Kathleen Moran, Special Agent

Printed name and title

- The foregoing affidavit was sworn to before me and signed in my presence, or
- The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 06/16/2021 at 11:45 am



Brian A. Tsuchida, United States Magistrate Judge

Printed name and title

## **AFFIDAVIT**

STATE OF WASHINGTON )  
 )  
COUNTY OF KING )

I, Kathleen Moran, a Special Agent of the Federal Bureau of Investigation, being first duly sworn, depose and state as follows:

## **I. SUMMARY AND PURPOSE OF AFFIDAVIT.**

1. This affidavit is submitted in support of an application for search warrants for retained communications and other records of the following Facebook accounts associated with Justin Costello and/or with entities associated with Justin Costello:

- a. Justin Costello = user ID 100040587769665
- b. GRN Holding Corporation = user ID GRNHoldingCorp
- c. GRNF VIP = user ID 910260356004696
- d. GRN Holding Corporation Empire = user ID 914636418886355
- e. Hempstract VIP = user ID 517576265620242

(collectively, the “Subject Facebook Accounts”), and for the following Twitter accounts associated with Justin Costello and/or with other individuals or entities associated with Justin Costello:

- f. Justin Costello = user name @IncGrn  
URL: <https://twitter.com/IncGrn>
- g. GRN Holding Corporation = user name @GRNHolding  
URL: <https://twitter.com/grnholdingcor>
- h. Hempstract = user name @IrHPST  
URL: <https://twitter.com/irhpst>
- i. David Ferraro = user name @computerbux  
URL: <https://twitter.com/computerbux>

(collectively, the “Subject Twitter Accounts”).

1       2. The FBI is currently investigating Justin Costello for numerous violations  
 2 of the federal mail fraud and securities fraud statutes for, among other things: (1) making  
 3 material misrepresentations and omissions to investors to induce them to purchase shares  
 4 of his companies; (2) making material misrepresentations and omissions and engaging in  
 5 manipulative trading activity in connection with a possible pump and dump scheme; and  
 6 (3) making material misrepresentations to a California-based marijuana company in  
 7 connection with Costello's operation of a banking company.

8       3. For example, when soliciting investors to invest in his companies, Costello  
 9 claimed that he was a billionaire whose private equity and hedge fund company had  
 10 \$1.15 billion in assets under management, while his bank holding company had \$1.2  
 11 billion in deposits. Furthermore, according to one investor, Costello portrayed himself as  
 12 a licensed investment advisor even though he is not licensed or registered to manage  
 13 investors' funds. Based upon these representations and others, this investor subsequently  
 14 invested over \$2 million into Costello's companies and allowed Costello to manage  
 15 approximately \$4 million in a brokerage account.

16      4. The investigation has revealed there is probable cause to believe Costello  
 17 also unlawfully manipulated the publicly-traded stocks of his companies by artificially  
 18 controlling the price and volume of traded shares in the manipulated stocks through,  
 19 among other things: 1) generating artificial trading volume in the stocks; 2) purchasing  
 20 the stocks in the account of an unwitting investor; 3) conducting matched trades using the  
 21 unwitting investors' account. Costello profited after selling the fraudulently inflated  
 22 shares of at least one of the companies he was associated with, Riverdale Oil and Gas  
 23 Corporation (later known as Hempstract Inc.).

24      5. The Subject Facebook Accounts belong to Costello and to private Facebook  
 25 groups associated with companies owned by Justin Costello. The investigation has  
 26 revealed that Costello used the Subject Facebook Accounts to communicate with  
 27 investors or potential investors, to generate artificial interest and demand in the stock of  
 28 his companies, and on at least two occasions, to post statements about Costello's

1 companies purporting to be from an investor, when in fact Costello wrote the statements.  
2 There is probable cause to believe, therefore, that these Facebook accounts contain  
3 evidence relevant to the offenses of wire fraud and securities fraud.

4       6. The Subject Twitter Accounts belong to Costello, Costello's companies,  
5 and David Ferraro, an individual who posted about Costello's companies apparently in  
6 exchange for renumeration by Costello. The investigation has revealed that Costello used  
7 the Subject Twitter Accounts to communicate with investors or potential investors, to  
8 generate artificial interest and demand in the stock of his companies, and on at least one  
9 occasion, to provide material, non-public information before it was announced to the  
10 public. There is probable cause to believe, therefore, that these Twitter accounts contain  
11 evidence relevant to the offenses of wire fraud and securities fraud.

12        7. The facts set forth in this Affidavit are based on information obtained by  
13 me and others during this investigation from a variety of sources, including, but not  
14 limited to: (a) information provided to me by investors; (b) business records and other  
15 documents obtained from various entities; (c) information provided to me by the U.S.  
16 Securities and Exchange Commission which is conducting a parallel, civil regulatory  
17 investigation; and (d) publicly available documents.

18        8.      Because this Affidavit is submitted for the limited purpose of establishing  
19 probable cause in support of the application for search warrants, it does not set forth each  
20 and every fact that I or others have learned during the course of this investigation. I have  
21 set forth only the facts that I believe are necessary to establish probable cause to believe  
22 that evidence, fruits and instrumentalities of violations of Title 18, United States Code,  
23 Section 1343 (Wire Fraud) and Section 1348 (Securities Fraud), will be found within the  
24 Subject Facebook Accounts and Subject Twitter Accounts.

## **II. EXPERIENCE OF AGENT.**

26        9. I am a Special Agent of the Federal Bureau of Investigation (“FBI”)  
27 currently assigned to the white-collar crime squad in the Seattle Field Division. I have  
28 been employed as a Special Agent of the FBI since May 2005. I have received basic

1 federal law enforcement training, including the training at the FBI Academy, as well as  
 2 other specialized federal law enforcement training. I have investigated violations of  
 3 federal statutes governing various types of white-collar crime, including wire fraud, mail  
 4 fraud, bank fraud, securities fraud, money laundering, and theft of government and public  
 5 money.

6 **III. LOCATIONS TO BE SEARCHED.**

7 10. I make this affidavit in support of an application for two search warrants,  
 8 pursuant to Federal Rule of Criminal Procedure 41, and Title 18, United States Code,  
 9 Section 2703, to search the electronic communications contained in, as well as all  
 10 subscriber and log records associated with, the following Facebook and Twitter accounts:

- 11 a. Justin Costello = user ID 100040587769665
- 12 b. GRN Holding Corporation = user ID GRNHoldingCorp
- 13 c. GRNF VIP = user ID 910260356004696
- 14 d. GRN Holding Corporation Empire = user ID 914636418886355
- 15 e. Hempstract VIP = user ID 517576265620242
- 16 f. Justin Costello = user name @IncGrn  
URL: <https://twitter.com/IncGrn>
- 17 g. GRN Holding Corporation = user name @GRNHoldingCorp  
URL: <https://twitter.com/grnholdingcorp>
- 18 h. Hempstract = user name @IrHPST  
URL: <https://twitter.com/irhpst>
- 19 i. David Ferraro = user name @computerbux  
URL: <https://twitter.com/computerbux>

20  
 21 11. The Subject Facebook Accounts are located on the premises owned,  
 22 maintained, controlled, or operated by Facebook Inc. (“Facebook”), a social networking  
 23 company headquartered in Menlo Park, California, as further described in Attachment A,  
 24 attached hereto and incorporated herein. Facebook owns and operates a free-access

1 social networking website of the same name that can be accessed at  
2 <http://www.facebook.com>. Facebook allows its users to establish accounts with  
3 Facebook, and users can then use their accounts to share written news, photographs,  
4 videos, and other information with other Facebook users, and sometimes with the public.  
5 Facebook also provides a free messaging application, Facebook Messenger, where  
6 Facebook users can send direct messages to each other.

7       12. To set up an account, Facebook asks users to provide basic contact and  
8 personal identifying information to Facebook, either during the registration process or  
9 thereafter. This information may include the user's full name, birth date, gender, contact  
10 e-mail addresses, Facebook passwords, physical address (including city, state, and zip  
11 code), telephone numbers, screen names, websites, and other personal identifiers.  
12 Facebook also assigns a user identification number to each account.

13       13. Facebook users may join one or more groups or networks to connect and  
14 interact with other users who are members of the same group or network. Facebook  
15 assigns a group identification number to each group. A Facebook user can also connect  
16 directly with individual Facebook users by sending each user a "Friend Request." If the  
17 recipient of a "Friend Request" accepts the request, then the two users will become  
18 "Friends" for purposes of Facebook and can exchange communications or view  
19 information about each other. Each Facebook user's account includes a list of that user's  
20 "Friends" and a "News Feed," which highlights information about the user's "Friends,"  
21 such as profile changes, upcoming events, and birthdays.

22       14. Facebook users can select different levels of privacy for the  
23 communications and information associated with their Facebook accounts. By adjusting  
24 these privacy settings, a Facebook user can make information available only to himself or  
25 herself, to particular Facebook users, or to anyone with access to the Internet, including  
26 people who are not Facebook users. A Facebook user can also create "lists" of Facebook  
27 friends to facilitate the application of these privacy settings. Facebook accounts also  
28

1 include other account settings that users can adjust to control, for example, the types of  
2 notifications they receive from Facebook.

3       15. Facebook users can create profiles that include photographs, lists of  
4 personal interests, and other information. Facebook users can also post “status” updates  
5 about their whereabouts and actions, as well as links to videos, photographs, articles, and  
6 other items available elsewhere on the Internet. Facebook users can also post information  
7 about upcoming “events,” such as social occasions, by listing the event’s time, location,  
8 host, and guest list. In addition, Facebook users can “check in” to particular locations or  
9 add their geographic locations to their Facebook posts, thereby revealing their geographic  
10 locations at particular dates and times. A particular user’s profile page also includes a  
11 “Wall,” which is a space where the user and his or her “Friends” can post messages,  
12 attachments, and links that will typically be visible to anyone who can view the user’s  
13 profile.

14       16. Facebook allows users to upload photos and videos, which may include any  
15 metadata such as location that the user transmitted when they uploaded the photo or  
16 video. It also provides users the ability to “tag” (i.e., label) other Facebook users in a  
17 photo or video. When a user is tagged in a photo or video, he or she receives a  
18 notification of the tag and a link to see the photo or video. For Facebook’s purposes, the  
19 photos and videos associated with a user’s account will include all photos and videos  
20 uploaded by that user that have not been deleted, as well as all photos and videos  
21 uploaded by any user that have that user tagged in them.

22       17. Facebook users can exchange private messages on Facebook with other  
23 users. Those messages are stored by Facebook unless deleted by the user. Facebook  
24 users can also post comments on the Facebook profiles of other users or on their own  
25 profiles; such comments are typically associated with a specific posting or item on the  
26 profile. In addition, Facebook runs a messenger application, Facebook Messenger, that  
27 allows users to send and receive instant messages. These chat communications are stored  
28 in the chat history for the account. Facebook also has Video and Voice Calling features,

1 and although Facebook does not record the calls themselves, it does keep records of the  
2 date of each call.

3       18. If a Facebook user does not want to interact with another user on Facebook,  
4 the first user can “block” the second user from seeing his or her account.

5       19. Facebook has a “like” feature that allows users to give positive feedback or  
6 connect to particular pages. Facebook users can “like” Facebook posts or updates, as  
7 well as webpages or content on third-party (*i.e.*, non-Facebook) websites. Facebook  
8 users can also become “fans” of particular Facebook pages.

9       20. Facebook has a search function that enables its users to search Facebook for  
10 keywords, usernames, or pages, among other things.

11       21. Each Facebook account has an activity log, which is a list of the user’s  
12 posts and other Facebook activities from the inception of the account to the present. The  
13 activity log includes stories and photos that the user has been tagged in, as well as  
14 connections made through the account, such as “liking” a Facebook page or adding  
15 someone as a friend. The activity log is visible to the user but cannot be viewed by  
16 people who visit the user’s Facebook page.

17       22. Facebook also has a Marketplace feature, which allows users to post free  
18 classified ads. Users can post items for sale, housing, jobs, and other items on the  
19 Marketplace.

20       23. In addition to the applications described above, Facebook also provides its  
21 users with access to thousands of other applications (“apps”) on the Facebook platform.  
22 When a Facebook user accesses or uses one of these applications, an update about that  
23 the user’s access or use of that application may appear on the user’s profile page.

24       24. Facebook also retains Internet Protocol (“IP”) logs for a given user ID or IP  
25 address. These logs may contain information about the actions taken by the user ID or IP  
26 address on Facebook, including information about the type of action, the date and time of  
27 the action, and the user ID and IP address associated with the action. For example, if a  
28

1 user views a Facebook profile, that user's IP log would reflect the fact that the user  
2 viewed the profile, and would show when and from what IP address the user did so.

3       25. Social networking providers like Facebook typically retain additional  
4 information about their users' accounts, such as information about the length of service  
5 (including start date), the types of service utilized, and the means and source of any  
6 payments associated with the service (including any credit card or bank account number).  
7 In some cases, Facebook users may communicate directly with Facebook about issues  
8 relating to their accounts, such as technical problems, billing inquiries, or complaints  
9 from other users. Social networking providers like Facebook typically retain records  
10 about such communications, including records of contacts between the user and the  
11 provider's support services, as well as records of any actions taken by the provider or  
12 user as a result of the communications.

13       26. As explained herein, information stored in connection with a Facebook  
14 account may provide crucial evidence of the "who, what, why, when, where, and how" of  
15 the criminal conduct under investigation, thus enabling the United States to establish and  
16 prove each element or alternatively, to exclude the innocent from further suspicion. In  
17 my training and experience, a Facebook user's IP log, stored electronic communications,  
18 and other data retained by Facebook, can indicate who has used or controlled the  
19 Facebook account. This "user attribution" evidence is analogous to the search for  
20 "indicia of occupancy" while executing a search warrant at a residence. For example,  
21 profile contact information, private messaging logs, status updates, and tagged photos  
22 (and the data associated with the foregoing, such as date and time) may be evidence of  
23 who used or controlled the Facebook account at a relevant time. Further, Facebook  
24 account activity can show how and when the account was accessed or used. For  
25 example, as described herein, Facebook logs the Internet Protocol (IP) addresses from  
26 which users access their accounts along with the time and date. By determining the  
27 physical location associated with the logged IP addresses, investigators can understand  
28 the chronological and geographic context of the account access and use relating to the

1     crime under investigation. Such information allows investigators to understand the  
 2 geographic and chronological context of Facebook access, use, and events relating to the  
 3 crime under investigation. Additionally, Facebook builds geo-location into some of its  
 4 services. Geo-location allows, for example, users to “tag” their location in posts and  
 5 Facebook “friends” to locate each other. This geographic and timeline information may  
 6 tend to either inculpate or exculpate the Facebook account owner. Last, Facebook  
 7 account activity may provide relevant insight into the Facebook account owner’s state of  
 8 mind as it relates to the offense under investigation. For example, information on the  
 9 Facebook account may indicate the owner’s motive and intent to commit a crime (e.g.,  
 10 information indicating a plan to commit a crime), or consciousness of guilt (e.g., deleting  
 11 account information in an effort to conceal evidence from law enforcement).

12       27. Therefore, Facebook’s servers and computers are likely to contain all the  
 13 material described above, including stored electronic communications and information  
 14 concerning subscribers and their use of Facebook, such as account access information,  
 15 transaction information, and other account information.

16       28. This application seeks warrants to search the Subject Facebook Accounts  
 17 and seize the items listed in Attachment B, which is attached to this affidavit and  
 18 incorporated herein by reference for evidence, fruits, and instrumentalities of violations  
 19 of Title 18, United States Code, Section 1343 (Wire Fraud) and Section 1348 (Securities  
 20 Fraud).

21       29. The Subject Twitter Accounts are located on the premises owned,  
 22 maintained, controlled, or operated by Twitter, Inc., a social networking company  
 23 headquartered in San Francisco, California, as further described in Attachment C,  
 24 attached hereto and incorporated herein. Twitter owns and operates a free-access social-  
 25 networking website of the same name that can be accessed at <http://www.twitter.com>.  
 26 Twitter allows its users to create their own profile pages, which can include a short  
 27 biography, a photo of themselves, and location information. Twitter also allows users to  
 28

1 create and read 140-character messages called “Tweets,” and to restrict their “Tweets” to  
 2 individuals whom they approve. These features are described in more detail below.

3       30. Upon creating a Twitter account, a Twitter user must create a unique  
 4 Twitter username and an account password, and the user may also select a different name  
 5 of 20 characters or fewer to identify his or her Twitter account. The Twitter user may also  
 6 change this username, password, and name without having to open a new Twitter  
 7 account.

8       31. Twitter asks users to provide basic identity and contact information, either  
 9 during the registration process or thereafter. This information may include the user’s full  
 10 name, e-mail addresses, physical address (including city, state, and zip code), date of  
 11 birth, gender, hometown, occupation, and other personal identifiers. For each user,  
 12 Twitter may retain information about the date and time at which the user’s profile was  
 13 created, the date and time at which the account was created, and the Internet Protocol  
 14 (“IP”) address at the time of sign-up. Because every device that connects to the Internet  
 15 must use an IP address, IP address information can help to identify which computers or  
 16 other devices were used to access a given Twitter account.

17       32. A Twitter user can post a personal photograph or image (also known as an  
 18 “avatar”) to his or her profile and can also change the profile background or theme for his  
 19 or her account page. In addition, Twitter users can post “bios” of 160 characters or fewer  
 20 to their profile pages.

21       33. Twitter also keeps IP logs for each user. These logs contain information  
 22 about the user’s logins to Twitter including, for each access, the IP address assigned to  
 23 the user and the date stamp at the time the user accessed his or her profile.

24       34. As discussed above, Twitter users can use their Twitter accounts to post  
 25 “Tweets” of 140 characters or fewer. Each Tweet includes a timestamp that displays  
 26 when the Tweet was posted to Twitter. Twitter users can also “favorite,” “retweet,” or  
 27 reply to the Tweets of other users. In addition, when a Tweet includes a Twitter  
 28 username, often preceded by the @ sign, Twitter designates that Tweet a “mention” of

1 the identified user. In the “Connect” tab for each account, Twitter provides the user with  
 2 a list of other users who have “favorited” or “retweeted” the user’s own Tweets, as well  
 3 as a list of all Tweets that include the user’s username (*i.e.*, a list of all “mentions” and  
 4 “replies” for that username).

5 35. Twitter users can include photographs or images in their Tweets. Each  
 6 Twitter account also is provided a user gallery that includes images that the user has  
 7 shared on Twitter, including images uploaded by other services.

8 36. Twitter users can also opt to include location data in their Tweets, which  
 9 will reveal the users’ locations at the time they post each Tweet. This “Tweet With  
 10 Location” function is off by default, so Twitter users must opt in to the service. In  
 11 addition, Twitter users may delete their past location data.

12 37. When Twitter users want to post a Tweet that includes a link to a website,  
 13 they can use Twitter’s link service, which converts the longer website link into a  
 14 shortened link that begins with <http://t.co>. This link service measures how many times a  
 15 link has been clicked.

16 38. A Twitter user can “follow” other Twitter users, which means subscribing  
 17 to those users’ Tweets and site updates. Each user profile page includes a list of the  
 18 people who are following that user (*i.e.*, the user’s “followers” list) and a list of people  
 19 whom that user follows (*i.e.*, the user’s “following” list). Twitter users can “unfollow”  
 20 users whom they previously followed, and they can also adjust the privacy settings for  
 21 their profile so that their Tweets are visible only to the people whom they approve, rather  
 22 than to the public (which is the default setting). A Twitter user can also group other  
 23 Twitter users into “lists” that display on the right side of the user’s home page on Twitter.  
 24 Twitter also provides users with a list of “Who to Follow,” which includes a few  
 25 recommendations of Twitter accounts that the user may find interesting, based on the  
 26 types of accounts that the user is already following and who those people follow.

27 39. A Twitter user can use the “block” feature to restrict specific accounts from  
 28 contacting them, seeing their Tweets, and following them. A Twitter user can use the

1 “mute” feature to remove an account’s Tweets from his or her timeline without  
 2 unfollowing or blocking the account.

3       40. In addition to posting Tweets, a Twitter user can also send Direct Messages  
 4 (DMs) to one of his or her followers. These messages are typically visible only to the  
 5 sender and the recipient, and both the sender and the recipient have the power to delete  
 6 the message from the inboxes of both users. As of January 2012, Twitter displayed only  
 7 the last 100 DMs for a particular user, but older DMs are stored on Twitter’s database.

8       41. Twitter users can configure the settings for their Twitter accounts in  
 9 numerous ways. For example, a Twitter user can configure his or her Twitter account to  
 10 send updates to the user’s mobile phone, and the user can also set up a “sleep time”  
 11 during which Twitter updates will not be sent to the user’s phone.

12      42. Twitter includes a search function that enables its users to search all public  
 13 Tweets for keywords, usernames, or subject, among other things. A Twitter user may  
 14 save up to 25 past searches.

15      43. Twitter users can connect their Twitter accounts to third-party websites and  
 16 applications, which may grant these websites and applications access to the users’ public  
 17 Twitter profiles.

18      44. If a Twitter user does not want to interact with another user on Twitter, the  
 19 first user can “block” the second user from following his or her account.

20      45. In some cases, Twitter users may communicate directly with Twitter about  
 21 issues relating to their account, such as technical problems or complaints. Social-  
 22 networking providers like Twitter typically retain records about such communications,  
 23 including records of contacts between the user and the provider’s support services, as  
 24 well as records of any actions taken by the provider or user as a result of the  
 25 communications. Twitter may also suspend a particular user for breaching Twitter’s  
 26 terms of service, during which time the Twitter user will be prevented from using  
 27 Twitter’s services.

1       46. As explained herein, information stored in connection with a Twitter  
2 account may provide crucial evidence of the “who, what, why, when, where, and how” of  
3 the criminal conduct under investigation, thus enabling the United States to establish and  
4 prove each element or alternatively, to exclude the innocent from further suspicion. In  
5 my training and experience, a Twitter user’s account information, IP log, stored  
6 electronic communications, and other data retained by Twitter, can indicate who has used  
7 or controlled the Twitter account. This “user attribution” evidence is analogous to the  
8 search for “indicia of occupancy” while executing a search warrant at a residence. For  
9 example, profile contact information, communications, “tweets” (status updates) and  
10 “tweeted” photos (and the data associated with the foregoing, such as date and time) may  
11 be evidence of who used or controlled the Twitter account at a relevant time. Further,  
12 Twitter account activity can show how and when the account was accessed or used. For  
13 example, as described herein, Twitter logs the Internet Protocol (IP) addresses from  
14 which users access their accounts along with the time and date. By determining the  
15 physical location associated with the logged IP addresses, investigators can understand  
16 the chronological and geographic context of the account access and use relating to the  
17 crime under investigation. Such information allows investigators to understand the  
18 geographic and chronological context of Twitter access, use, and events relating to the  
19 crime under investigation. Additionally, Twitter builds geo-location into some of its  
20 services. If enabled by the user, physical location is automatically added to “tweeted”  
21 communications. This geographic and timeline information may tend to either inculpate  
22 or exonerate the Twitter account owner. Last, Twitter account activity may provide  
23 relevant insight into the Twitter account owner’s state of mind as it relates to the offense  
24 under investigation. For example, information on the Twitter account may indicate the  
25 owner’s motive and intent to commit a crime (e.g., information indicating a criminal  
26 plan) or consciousness of guilt (e.g., deleting account information in an effort to conceal  
27 evidence from law enforcement).

28

1       47. Therefore, the computers of Twitter are likely to contain all the material  
 2 described above, including stored electronic communications and information concerning  
 3 subscribers and their use of Twitter, such as account access information, transaction  
 4 information, and other account information.

5       48. This application seeks warrants to search the Subject Twitter Accounts and  
 6 seize the items listed in Attachment D, which is attached to this affidavit and  
 7 incorporated herein by reference for evidence, fruits, and instrumentalities of violations  
 8 of Title 18, United States Code, Section 1343 (Wire Fraud) and Section 1348 (Securities  
 9 Fraud).

10                          **IV. RELEVANT LEGAL PROVISIONS.**

11       49. Title 18, United States Code, Section 1343 (Wire Fraud) provides that it is  
 12 a violation of federal law when someone, having devised or intending to devise any  
 13 scheme or artifice to defraud, or for obtaining money or property by means of false or  
 14 fraudulent pretenses, representations, or promises, transmits or causes to be transmitted  
 15 by means of wire, radio, or television communication in interstate or foreign commerce,  
 16 any writings, signs, signals, pictures, or sounds for the purpose of executing such scheme  
 17 or artifice.

18       50. Title 18, United States Code, Section 1348 (Securities Fraud) provides that  
 19 whoever knowingly executes, or attempts to execute, a scheme or artifice: (1) to defraud  
 20 any person in connection with any security of an issuer with a class of securities  
 21 registered under section 12 of the Securities Exchange Act of 1934 (15 U.S.C. 781) or  
 22 that is required to file reports under section 15(d) of the Securities Exchange Act of 1934  
 23 (15 U.S.C. 78o(d)); or (2) to obtain, by means of false or fraudulent pretenses,  
 24 representations, or promises, any money or property in connection with the purchase or  
 25 sale of any security of an issuer with a class of securities registered under section 12 of  
 26 the Securities Exchange Act of 1934 (15 U.S.C. 781) or that is required to file reports  
 27 under section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78o(d))... [has  
 28 committed the offense of securities fraud].

51. As discussed in more detail below, probable cause exists to believe that Costello defrauded investors by making fraudulent statements about his background and success in investing and by generating artificial interest and demand in the stock of his companies, including, among other ways, by using the Subject Facebook Accounts and the Subject Twitter Accounts. Relying on the information shared in the Subject Facebook Accounts and the Subject Twitter Accounts, investors purchased shares of Costello's companies, driving up the price of the shares and benefiting Costello.

## V. INVESTIGATION

#### A. Relevant Individual and Entities

52. **Justin Costello:** Justin Costello, a resident of Bellevue, Washington, owns several companies related to the cannabis industry and portrays himself as a self-made billionaire. From at least the fall of 2017, Costello's companies, including Pacific Banking Corp., primarily provided banking services to marijuana companies located in Washington State, Colorado, and California.<sup>1</sup> In April and June 2019, Pacific Banking Corp. entered into agreements with a California-based cannabis business to provide banking services. In these agreements, Pacific Banking Corp., through Costello, agreed to "only take actions on the account or execute transactions as authorized by [the cannabis business]." The cannabis business initially transferred more than \$9 million to a bank account belonging to GRN Funds LLC. Initially, Pacific Banking Corp. honored the agreements and promptly paid the business' employees and vendors. By November 2019, the relationship began to break down and Pacific Banking Corp. failed to make a \$1 million tax payment to the State of California on behalf of the cannabis business. Costello falsely stated that the payment had been made, and he offered no explanation as to what had happened to the funds. In addition, Pacific Banking Corp. sent the cannabis

<sup>1</sup> Although numerous states have legalized the cultivation, production, and distribution of retail or medicinal marijuana, these activities remain violations of federal law. Thus, banks in the United States have historically been hesitant to provide banking services to marijuana companies. Costello's services purported to help these companies navigate the banking system.

1 business false and fraudulent account statements showing that the payment had been  
 2 made, but then returned to the account. The cannabis business's attempts to retrieve its  
 3 remaining funds, approximately \$3 million, from Costello and Pacific Banking Corp.  
 4 were unsuccessful. A review of the financial records indicated that Costello diverted the  
 5 cannabis business's funds, co-mingled them with other clients' funds, and used them  
 6 elsewhere to benefit his companies.

7       53. At some point, Costello shifted to owning and operating his own marijuana  
 8 and CBD companies, both publicly and privately held. Costello manages and is the Chief  
 9 Executive Officer (CEO) of GRN Funds, LLC, described as a private equity and hedge  
 10 fund. On its website, GRN Funds, LLC claimed to have \$1.15 billion in assets under  
 11 management, and \$600 million under deposit. An FBI analysis of financial records does  
 12 not support this claim. In a Form 8K for Discovery Gold Corporation filed with the U.S.  
 13 Securities and Exchange Commission (SEC) on July 1, 2019, and signed by Costello,  
 14 Costello described himself as a graduate of the University of Minnesota and a graduate of  
 15 Harvard Business School. In an amended Form 8K filed on October 2, 2019, again  
 16 signed by Costello, Costello described himself as a graduate of Winona State University  
 17 who attended Harvard University, but did not graduate.

18       54. **Discovery Gold Corporation/GRN Holding Corporation:** GRN  
 19 Holding Corporation is a Nevada shell corporation formed in 2010 under the name  
 20 Norman Cay Development Inc. On July 12, 2012, the name of the company was changed  
 21 to Discovery Gold Corporation, and its stock traded on the over-the-counter (OTC)  
 22 market under the ticker symbol DCGD. Between 2012 and 2018, DCGD generated no  
 23 revenue. On June 20, 2019, GRN Funds, LLC purchased 55.65% of DCGD's  
 24 outstanding shares for \$300,000.<sup>2</sup> At the time, DCGD was trading at a price of  
 25 approximately \$.004 per share. After completing the reverse merger, Costello became  
 26 Director, President, and CEO of DCGD. On July 16, 2019, DCGD changed its name to  
 27

---

28       <sup>2</sup> A private company purchasing the majority of a publicly-traded shell company's stock is commonly referred to as  
 a "reverse merger."

1 GRN Holding Corporation and subsequently changed its ticker symbol to GRNF. By  
 2 September 2019, GRNF was trading close to \$2.00 per share, even though the company  
 3 had yet to earn any revenue and had no business operations. GRN Holding Corporation's  
 4 office address is in Seattle, Washington.

5       **55. Riverdale Oil and Gas Corporation/Hempstract Inc.:** Hempstract Inc.  
 6 is a Nevada corporation formed in 2007. Hempstract Inc. was previously known as  
 7 Helisys, Inc., then Fraser Industries, Inc., and finally Riverdale Oil and Gas Corporation,  
 8 where it traded on the OTC market under the ticker symbol RVDO.<sup>3</sup> On February 28,  
 9 2020, Manufacturing 360 LLC, another company owned by Justin Costello, acquired a  
 10 controlling interest of the outstanding shares of RVDO and Richard Hawkins was  
 11 appointed as CEO and President (Hawkins is also a member of GRN Holding Corp. and  
 12 was involved with Pacific Banking Corp. as well). At the time Costello acquired the  
 13 shares, RVDO was trading at approximately \$.09 per share. RVDO discontinued and  
 14 spun off its oil and gas interest, and its new business plan involved developing and selling  
 15 hemp-based products. By July 2020, RVDO was trading at approximately \$1.40 per  
 16 share, despite having no revenue or business operations.

17       **56.** On August 6, 2020, RVDO acquired all the assets of Hempstract LLC, a  
 18 Washington State Limited Liability Company. According to the certificate of formation  
 19 and initial report for Hempstract LLC, filed with Washington State on May 2, 2019,  
 20 Justin Costello served as Executor/Governor of the company and Richard Hawkins was  
 21 the Registered Agent. Costello received approximately 24 million shares of RVDO in  
 22 exchange for Hempstract LLC's assets, allegedly valued at approximately \$11 million  
 23 dollars. On October 20, 2020, Riverdale Oil and Gas changed its name to Hempstract,  
 24 Inc. (ticker symbol HPST). According to a disclosure statement filed by Hempstract Inc.  
 25 for the period ending December 31, 2020, Hempstract Inc. had no revenue for the year.

---

26  
 27  
 28       <sup>3</sup> Interestingly, prior to Costello's involvement with RVDO, RVDO was the subject of a previous manipulative  
 trading scheme in this District. See Plea Agreement of Alexander Hawatmeh, *United States v. Alexander  
 Hawatmeh*, CR14-5348 RBL, Dkt. 86, paragraph 9f.

1 Hempstract Inc. shares an office space in Seattle with GRN Holding Corp. Costello owns  
 2 approximately 26% of the outstanding shares of Hempstract Inc. Costello was the  
 3 Chairman of the Board of Hempstract, Inc., until resigning on May 18, 2021.

4 **B. Costello solicited investors by making false representations**

5 57. From at least November 2018 through May 2020, Costello recruited and  
 6 solicited investors to make investments in several of his entities, including GRN Funds,  
 7 LLC, Discovery Gold Corp./GRN Holding Corp., and Riverdale Oil and Gas/Hempstract.  
 8 When soliciting these investors, Costello made several material misrepresentations  
 9 concerning his background and historical success in business.

10 **Investors J.W. and D.W.**

11 58. Investor J.W. met Justin Costello in November 2018. Costello told J.W.  
 12 that he was a former military commando who had done two tours in Iraq and had been  
 13 shot twice. In sworn testimony provided to the SEC on February 3, 2021, Costello  
 14 admitted that he had never served in the armed forces. Costello also told J.W. that he was  
 15 a billionaire. Costello described GRN Holding Corp. as a conglomerate comprised of  
 16 companies involved in the cannabis industry. To support his claim, Costello emailed  
 17 J.W. a list of the companies and their annual revenues, including a bank holding company  
 18 with a purported \$1.12 billion in deposits. An FBI analysis of financial records does not  
 19 support Costello's claim that the bank holding company had anything close to \$1.12  
 20 billion in deposits. J.W. and his father, D.W., relying on the information Costello  
 21 provided about himself and GRN Holding Corp., each purchased 33,333 shares of DCGD  
 22 for \$25,000 directly from Costello. D.W. also purchased additional GRNF shares in his  
 23 brokerage account.

24 59. In February 2020, Costello texted J.W. and told D.W. and J.W. to open  
 25 brokerage accounts because the Hempstract Initial Public Offering (IPO) was going to  
 26 happen. Costello texted that Costello was going to make \$36 million on this deal and

1 wrote “this will have a GRNF epic run”<sup>4</sup> and J.W. should “watch this shit the next 2  
 2 weeks.” Following Costello’s texts, J.W. opened his brokerage account in early March  
 3 2020 and purchased 16,900 shares of RVDO. D.W. also purchased shares of RVDO. On  
 4 April 28, 2020, RVDO publicly announced a non-binding letter of intent to acquire the  
 5 assets of Hempstract LLC, which was not completed until August 6, 2020.

6 **Investor S.T.**

7 60. By at least August 2019, S.T. had met Costello through S.T.’s hair stylist  
 8 who was Costello’s girlfriend at the time. During their relationship, Costello told  
 9 investor S.T. that he went to Harvard, he managed money for a sheikh, and he was the  
 10 youngest billionaire under 40 years old. Costello offered to sell restricted shares of  
 11 RVDO to S.T. as part of a “friends and family” deal. In February 2020, S.T. gave  
 12 Costello a \$100,038 check written to Manufacturing 360 LLC for shares of RVDO. S.T.  
 13 also gave Costello a check for approximately \$125,000 for shares of GRNF. Costello  
 14 suggested S.T. open a brokerage account, which S.T. did at TD Ameritrade in the spring  
 15 of 2020. According to S.T., she funded the account with a couple of hundred thousand  
 16 dollars. S.T. conducted all the trading in the account, but Costello told S.T. when and  
 17 what to buy and sell. Among other OTC stocks, Costello instructed S.T. to buy and sell  
 18 GRNF, RVDO, and other stocks, including China Networks International Holdings,<sup>5</sup>  
 19 Reac Group, Inc., and Parralax Health Sciences, Inc. S.T. understood that all these stocks  
 20 were Costello’s companies, and that Costello planned to merge them into a conglomerate  
 21 in the marijuana/hemp business. According to S.T., she ended up losing approximately  
 22 \$100,000 to \$200,000 in her TD Ameritrade account.

23

24

25

26

---

27     <sup>4</sup> This appears to be a reference to Costello’s prior scheme involving GRNF where the stock price rose dramatically.

28     <sup>5</sup> The investigation has revealed that China Network International Holdings may have been another stock Costello  
 manipulated or made material misrepresentations about to investors. Specifically, TD Ameritrade has provided  
 information that the stock of China Network International Holdings was one of the stocks in which Costello’s  
 account engaged in matched trading as set forth below.

1     **Investors B.M. and J.M.**

2         61. Costello met investors B.M and J.M.,<sup>6</sup> a married couple, in January 2019.  
 3 Costello told B.M. and J.M. that he was a self-made hedge fund billionaire and that he  
 4 managed money for wealthy people, including a Saudi sheikh. Costello also said that he  
 5 had a Master of Business Administration (MBA) from Harvard, and that he was in the  
 6 Special Forces, shot twice and had shrapnel in his leg. In order to portray himself as a  
 7 successful billionaire, at one point, Costello expressed interest in buying a multi-million  
 8 dollar house through B.M., a real estate agent. For B.M. to be able to show Costello an  
 9 \$11 million dollar house that was for sale, B.M. told Costello that he needed to provide  
 10 proof of funds showing that he had sufficient funds to buy the house. In response,  
 11 Costello gave B.M. a May 2019 bank statement for GRN Funds LLC, showing a balance  
 12 of approximately \$9 million dollars. Thus, Costello led B.M. to believe the funds  
 13 belonged to Costello and he was a successful money manager. In fact, the funds belonged  
 14 to Costello's client, the cannabis company described above for which Costello was  
 15 purportedly providing banking services. Based upon Costello's false representations,  
 16 B.M. and J.M. purchased 500,000 shares of GRN Holding Corporation, a Washington  
 17 State corporation controlled by Costello. In July 2019, B.M. and J.M. also purchased  
 18 9,000,000 restricted shares of DCGD from Costello, for a price of \$1,800,000.

19     *Costello conducts trades of DCGD/GRNF and RVDO/HPST in B.M. and J.M.'s account*

20         62. In addition to soliciting them to invest directly in his companies, Costello  
 21 offered to manage B.M. and J.M.'s money in an investment trading account. Costello  
 22 told B.M. that he was a "licensed investment guy" and did not tell B.M. and J.M. the  
 23 truth - that neither he nor his purported hedge fund were registered as investment advisers  
 24 or as a broker/dealer, and that he did not hold any securities licenses. Costello directed  
 25 B.M. and J.M. to open a brokerage account at TD Ameritrade, which they did in July  
 26 2019, funding the account with \$4,000,000. B.M. and J.M. signed an agreement with

---

27  
 28         <sup>6</sup> As a result of Costello's conduct, B.M. and J.M. have filed a civil lawsuit against Costello in King County  
 Superior Court seeking recovery of millions of dollars.

1 Costello to pay him 20% of the profits in their account. Costello represented that he was  
 2 providing them a “friends and family” discount, and that he was waiving his typical  
 3 capital management fee. B.M. and J.M. provided Costello with the login and password  
 4 information for their brokerage account. Thereafter, Costello conducted all of the trading  
 5 in B.M. and J.M.’s account.

6       63. On August 1, 2019, a representative of TD Ameritrade asked B.M. if she  
 7 were being charged a fee for advice about the brokerage account. B.M. asked Costello  
 8 how to respond and Costello told B.M. to respond “no.” Costello provided B.M. and  
 9 J.M. a \$29,553.17 invoice, dated August 29, 2019, for 20% profit sharing in their  
 10 account, which they paid. Attached to the invoice was a list of the transactions in the  
 11 account in July 2019, consisting entirely of purchases and sales of DCGD, the company  
 12 in which Costello, through GRN Funds LLC, had acquired a controlling interest on June  
 13 20, 2019. At the same time, DCGD was experiencing an increase in share price: from  
 14 approximately \$.003 per share at the end of June 2019 to \$.39 per share by the end of  
 15 July 2019, even though DCGD still did not earn any revenue or have any business  
 16 operations. During the SEC investigation, the SEC served B.M. with an administrative  
 17 subpoena. After B.M. informed Costello about the subpoena, Costello told B.M. to tell  
 18 the SEC that she had made the trades in her account. Based on my training and  
 19 experience, I believe Costello used B.M. and J.M.’s TD Ameritrade account to purchase  
 20 and sell DCGD to inflate the trading volume and share price of DCGD.

21 **C. Costello paid for promotion of DCGD/GRNF and RVDO/HPST**

22       64. Costello also used paid promotion to increase the share prices of  
 23 DCGD/GRNF and RVDO/HPST. David Ferraro is a prolific Twitter user who tweets  
 24 under the username “@computerbux.” Ferraro began tweeting about DCGD on July 15,  
 25 2019, and he continued to tweet about DCGD every day throughout the remainder of July  
 26 2019, often tweeting multiple times a day. For example, on July 16, 2019, Ferraro  
 27 tweeted, “\$DCGD If you miss this boat to a potential \$30 a share on the largest RM  
 28 [reverse merger] in 15 years, you’re going to KICK YOURSELF.” As Ferraro was

1 tweeting about DCGD, its share price was increasing. On September 3, 2019, Ferraro  
 2 tweeted about DCGD approximately 129 times, and DCGD closed at \$1.21 per share.  
 3 One of Ferraro's tweets that day read, "\$DCGD You haven't seen nothin [sic] yet! I've  
 4 got word that more whales are coming and we have institutions buying too with hedges!!  
 5 We're gonna go \$3-5 today likely!!!"

6 65. Ferraro began tweeting about RVDO on April 28, 2020, sending out  
 7 approximately 35 tweets that day regarding the company (in addition to approximately 55  
 8 tweets about GRNF). Ferraro tweeted almost every single day in May and June 2020,  
 9 and by the end of June 2020, RVDO had reached a high price of almost \$2.00 per share,  
 10 from a price of about \$.30 a share at the end of April, 2020. Ferraro usually tweeted  
 11 about RVDO multiple times a day, for example, on May 8, 2020, he tweeted 81 times,  
 12 including such tweets as, "\$RVDO This is going to be so much fun when it gets over  
 13 \$12."

14 66. It appears that Costello paid Ferraro for his services on at least one  
 15 occasion. On January 3, 2020, a \$23,520 wire was sent from a bank account belonging to  
 16 GRN Funds LLC to Ferraro, with the memo "Vendor Payment." In addition, an email  
 17 from Ferraro to Costello on January 4, 2020, identified their current process as: "1.  
 18 Analyst identifies the stock. 2. I announce it and it runs on hype but short lived."

19 **D. Costello profited in his own accounts**

20 67. An analysis of the trading in brokerage accounts Costello controlled is still  
 21 ongoing, however, there is probable cause to believe that Costello orchestrated investor  
 22 purchases and promotions of DCGD/GRNF and RVDO/HPST in order to increase the  
 23 price of these stocks and to profit from the price increases. Costello opened a TD  
 24 Ameritrade account ending in 9452 in the name of GRN Funds LLC on June 3, 2019.  
 25 Costello also opened a TD Ameritrade account ending in 9351 in his name on November  
 26, 2018. According to information provided by TD Ameritrade, between September 12,  
 27 2019 and October 8, 2019, Costello's accounts engaged in 12 instances of matched  
 28 trading in several stocks, including GRNF, with B.M. and J.M.'s TD Ameritrade account.

1 Matched trading occurs when an individual (or individuals) enter coordinated trades for  
2 the purchase or sale of a security to give the appearance of liquidity and volume and drive  
3 the price of the stock higher.

4       68. Costello opened a Charles Schwab account ending in 7493 in his name on  
5 November 5, 2019. Costello began purchasing RVDO shares on January 31, 2020, and  
6 by March 3, 2020, Costello had accumulated approximately 2.1 million shares of RVDO  
7 at an average price of approximately \$.05 per share. Costello sold 120,000 shares of  
8 RVDO in February 2020, before selling an additional 844,923 shares of RVDO between  
9 May 21, 2020 and June 8, 2020 at an average price of approximately \$.41 per share, for a  
10 total profit of \$314,765. As of June 30, 2020, Costello still held approximately 1.1  
11 million shares of RVDO, which traded at a high of \$1.94 per share on that day, even  
12 though RVDO still had no revenue or business operations. Based on my training and  
13 experience, I believe Costello encouraged J.W., D.W., and S.T. to purchase RVDO, and  
14 paid Ferraro to promote RVDO, in order to create a demand for RVDO and increase its  
15 share price so that Costello could profit from the sale of his RVDO shares.

## **VI. RELEVANCE OF FACEBOOK ACCOUNTS.**

17       69. Costello used the Subject Facebook Accounts to promote his companies to  
18 investors and attempt to manipulate the price of these companies' shares. Investors B.M.  
19 and J.M. were members of the Facebook groups GRN Holding Corporation, GRNF VIP,  
20 and GRN Holding Corporation Empire. B.M. described the nature of Costello's posts to  
21 the Facebook groups as describing how hard Costello was working to build shareholder  
22 value, pumping GRNF, and anticipating company events.

23       70. On at least two occasions, Costello directed B.M. to post in two of the  
24 Subject Facebook Accounts. On September 11, 2019, Costello texted the following to  
25 B.M.: "Post on both facebook groups. Got my checkbook ready for tomorrow. I will  
26 take all you sell. Don't [sic] mess with texas." B.M. responded, "Posted." On  
27 September 12, 2019, it appears that Costello directed B.M. to post information showing

1 that B.M. had significant interest in DCGD. Costello and B.M. exchanged the following  
 2 text messages:

3 JC: "Hello my name is [B.M.], my husband and I own 2.5 million shares of this  
 4 company (DCGD's) float, I have invested in this company because I know Justin  
 5 personally and his team and I believe in them and what they do. If you want to  
 6 sell your shares my husband and I will buy them. Seattle takes care of its business  
 7 people and Justin is one of its prodigal sons.

8 JC: Please change anything you want and post

9 BM: I thought we had 9.5 million?

10 JC: You have 2.5 million in the float and 9 million restricted. I would only discuss  
 11 the [sic] 2.5 million as its relative to that group.

12 JC: 11.5 million total!

13 BM: [smiling emoji]

14 BM: Okay great!

15 JC: Local titans are showing me love

16 JC: Jeff B and Bill G already reached. I am in the B club now.

17 JC: They are supporting us now.

18 BM: Just posted! Love you J-Ustin

19 JC: Love you [J.M. and B.M.]"

20 Based on my training and experience, I believe Costello was telling B.M. that Jeff Bezos  
 21 and Bill Gates reached out to him, that Costello was now in the billionaires' club, and  
 22 that Bezos and Gates were supporting Costello. B.M. confirmed that she posted in the  
 23 Facebook groups the statements Costello scripted for her, making it appear that she was  
 24 supporting Costello and providing a market for GRNF.

25 71. According to investor J.W. and Costello's then-girlfriend, in approximately  
 26 April 2020, Costello posted on one of the GRN Facebook groups a picture of himself  
 27 next to an oxygen tank, purportedly suffering from Covid-19. The day before the post,  
 28 Costello told J.W. that he was going to play a "medical thing" to drive down the price of  
 GRNF to purchase more stock (at the reduced price). Costello explained the Facebook  
 post to his girlfriend as a "business tactic."

29 72. **GRN Holding Corporation:** The Facebook page for GRN Holding  
 30 Corporation is currently deactivated. Investors B.M. and J.M provided to investigators  
 31 Facebook email notifications for posts made by individuals, likely investors, to the GRN

1 Holding Corporation page at the end of 2019 and the beginning of 2020. One of the  
 2 emails shows a post, dated January 18, 2020, that states, “You don’t have to see it! You  
 3 just have to believe it! GRNF for Life.....”, and the email indicates that Costello  
 4 commented on the post. The content of Costello’s comment does not appear in the email  
 5 notification.

6       **73. GRNF VIP:** GRNF VIP is a private Facebook group that was created on  
 7 September 2, 2019. The main page shows that it has 1,200 members and the current  
 8 administrator is Tim Perkins. It is unknown what the connection is between Perkins and  
 9 GRNF. K.M., an investor in GRNF and RVDO, provided to investigators a post made to  
 10 the GRNF VIP page by Donald Shearin, who was the previous administrator of the  
 11 group. At one point, Shearin handled Investor Relations for GRNF, and on July 10,  
 12 2020, Shearin was issued 175,000 shares of RVDO under a “participation agreement.”  
 13 Shearin wrote in his post that he invited Costello to the page to post videos and updates.

14       **74. GRN Holding Corporation Empire:** GRN Holding Corporation Empire  
 15 is a private Facebook group that was created on July 28, 2019, and it is described as  
 16 “Entertainment. Learning. Education. Creativity. Inspiration. Investment ideas.” The  
 17 main page shows that it has 964 members, and its current administrators/moderators are:  
 18 Kelly Brady, Lance Broussard, Yvette Tipsword, John E. Windsor, Hercules Singh,  
 19 Marsha Lacroix, Bigb Wolf, and Barry James. It is unknown what the connection is  
 20 between these individuals and GRN Holding Corporation.

21       **75.** On September 9, 2019, investor J.M. received an email notification from  
 22 Facebook that Justin Costello posted on the GRN Holding Corporation Empire page.  
 23 Costello’s post shared a photo and mentioned helping shareholders in the Caribbean.  
 24 According to B.M., Costello told her that he gave a million dollars to the Bahamas for  
 25 hurricane relief. A review of Costello’s financial records does not support this assertion,  
 26 and I believe Costello’s Facebook post is an attempt to portray himself as a successful  
 27 and wealthy businessman to the members of the GRN Holding Corporation Empire  
 28 Facebook page.

1       76. **Hempstract VIP:** Hempstract VIP is a private Facebook group that was  
 2 created on February 28, 2020, and it is described as “A group of potential investors,  
 3 looking to watch a company grow.” The main page shows that it has 426 members, and  
 4 Tim Perkins, Joe Peloquin, Joey Rosanova, and Alka Badshah are the current  
 5 administrators. Badshah is the Vice President of Mergers and Acquisitions at GRN  
 6 Holding Corporation. Badshah also joined the strategic advisory board of RVDO in June  
 7 2020. The connection between Perkins, Peloquin, and Rosanova and Hempstract is  
 8 unknown.

9       77. Investor K.M. provided a post by Costello on the Hempstract VIP page.  
 10 The post lists Costello as a “Founding Member” and contains graphics of flames, along  
 11 with the statement, “About to go get some gasoline!” K.M. understood this to mean that  
 12 investors should buy shares of RVDO because Costello was about to announce  
 13 something.

14       78. On December 29, 2020, K.M. provided to investigators a post by Badshah  
 15 on the Hempstract VIP page stating that, “We will be submitting PR and info on tolling  
 16 agreements on January 5<sup>th</sup>.” In fact, on January 5, 2021, Hempstract Inc. announced that  
 17 it had completed its first round of CBD extraction from raw hemp. Hempstract Inc. also  
 18 announced that it had entered into a tolling agreement with a Portland, Oregon company  
 19 which provided that Hempstract Inc. will retain 40% of the finished product. Thus, it  
 20 appears that Costello, or those working with or for Costello, used the account to provide  
 21 material, non-public information to the group before it announced the information to the  
 22 public.

23       79. There is probable cause to believe these Subject Facebook Accounts may  
 24 contain evidence relevant to the offenses of wire fraud and securities fraud for several  
 25 reasons. First, because Costello has made multiple misrepresentations about himself and  
 26 his companies to investors, the Subject Facebook Accounts are likely to contain posts by  
 27 Costello making similar misrepresentations. Second, the purpose of the Subject  
 28 Facebook Accounts appears to be related to Costello’s companies and, given Costello’s

1 efforts to generate interest and demand in his companies in order to drive up their share  
 2 prices, there is reason to believe this activity continued in the Subject Facebook  
 3 Accounts. Finally, on at least two occasions Costello scripted an investor's posts in the  
 4 Subject Facebook Accounts to create the appearance of demand for his companies'  
 5 shares. With hundreds of members in the Subject Facebook Accounts, Costello may  
 6 have used other investors to create artificial posts to misrepresent the market for his  
 7 companies' shares.

## 8           **VII. RELEVANCE OF TWITTER ACCOUNTS.**

9           80. Like the Subject Facebook accounts, Justin Costello used the Subject  
 10 Twitter Accounts to promote his companies to investors and attempt to manipulate the  
 11 price of these companies' shares. Costello also communicated with at least one investor  
 12 using direct messages.

13           81. **@IncGrn:** According to its public Twitter page, username @IncGrn  
 14 joined Twitter in August 2019, and has 2,108 followers. The @IncGrn page contains a  
 15 picture of Costello and identifies @IncGrn's tweets as protected, so only approved  
 16 followers can see the tweets. Tweets by @GRNHoldingCorp identify the username  
 17 @IncGrn as GRN Holding Corporation's CEO. On March 6, 2020, @IncGrn direct  
 18 messaged investor K.M., who asked if this was "JC [Justin Costello] account?".  
 19 @IncGrn responded that it was JC.

20           82. Costello further direct messaged K.M. on March 6, 2020, "The new IPO is  
 21 just about here. Sharing this with you please keep private." Costello then posted a link  
 22 to a website related to Hempstract. Costello further tweeted, "We had conflict issues  
 23 rolling these into GRNF so we had to do another one". It was not until April 28, 2020,  
 24 that RVDO publicly announced a non-binding letter of intent to acquire the assets of  
 25 Hempstract LLC. Thus, it appears that Costello used the Twitter account to provide  
 26 material, non-public information to at least one investor before it announced the  
 27 information to the public.  
 28

1       83. Months later, K.M. posted to Facebook snippets of a public lawsuit against  
 2 Costello and his companies by the California-based cannabis business. In response, K.M.  
 3 received a private Twitter message from Costello that included all her personal  
 4 information and the message, “Keep posting traitor.”

5       84. **@GRN HoldingCorp:** According to its Twitter page, username  
 6 @GRN HoldingCorp joined Twitter in November 2019 and has 1,752 followers. The  
 7 @Grn HoldingCorp page provides the following description: “All things GRN. OTC  
 8 Pink: GRNF”. In tweets, @GRN HoldingCorp described itself as Investor Relations for  
 9 GRN Holding Corporation. @GRN HoldingCorp has posted tweets from Costello  
 10 addressed to GRNF shareholders, as well as posts about Costello and GRNF. For  
 11 example, on March 9, 2020, @GRN HoldingCorp posted the following: “\$GRNF CEO  
 12 Statement: The current status of the stock market is not reflective of our progress. GRN  
 13 Holding remains fully operational, fully capitalized, and on target to meet our preset  
 14 goals and objectives. @IncGrn”, and on March 12, 2020, @GRN HoldingCorp posted  
 15 this: “\$GRNF Our CEO @IncGrn has been through two down market cycles; dot-com &  
 16 mortgage. His strategy is steadfast w/a solid team behind him. Reacting from panic/fear  
 17 adds to the problem, not the solution. We prefer to be the exception in the market. Charts  
 18 tell all...”

19       85. **@IrHPST:** According to its Twitter page, username @IrHPST joined  
 20 Twitter in April 2020 and has 589 followers. The @IrHPST page provides the following  
 21 description: “Official Twitter account for Hempstract Labs.” @IrHPST has posted  
 22 tweets linking to RVDO and HPST press releases. @IrHPST also posted whenever  
 23 Costello purchased HPST shares, for example, on February 11, 2021, @IrHPST posted  
 24 the following: “On 2/08/2021: Mr. Justin Costello purchased two blocks of restricted  
 25 shares totaling 319,687 and 203,438 of Hempstract Labs common stock, in a private  
 26 stock purchase. \$HPST.”

27       86. **@computerbux:** According to its Twitter page, username @computerbux  
 28 joined Twitter in February 2010 and has 10,600 followers. As discussed above, David

1 Ferraro used @computerbux to post numerous tweets about Costello's companies, and he  
 2 appeared to be receiving payment from Costello for doing so. Ferraro also used  
 3 @computerbux to communicate with investors about Costello's companies. In March  
 4 2020, investor K.M. retweeted a November 2019 post about RVDO. Ferraro, using  
 5 @computerbux, then exchanged the following direct messages with K.M. on March 26,  
 6 2020:

7 @computerbux: "Let's keep the RVDO tweets to zero till filings.

8 K.M.: Just doing some back research to see who knew what was up with this  
 9 ticker and saw that guy mentioning it back in Nov. Thought that was pretty  
 amazing. Why you putting the kibosh on tweets for it? Loading?

10 @computerbux: It doesn't have filings for six years and I don't want the give the  
 11 SEC a reason to suspend trading until the financials are filed and it gets current.

11 K.M.: That is different? We could tweet about GRNF when that was in the same  
 12 position as this ticker is.

12 K.M.: Are we in loading zone? Is that why? Until the 'official' news and  
 13 connections break?

14 @computerbux: Yes, we are in loading zone."

15 According to K.M., "loading" or "loading zone" means buying shares before information  
 16 is made public in order to sell them after the stock price rises after the stock is touted or  
 17 "pumped." Thus, it appears from this exchange that Ferraro was privy to material non-  
 18 public information about RVDO and he was directing K.M.'s actions based on this  
 19 information.

20 87. There is probable cause to believe the Subject Twitter Accounts will  
 21 contain evidence relevant to the offenses of wire fraud and securities fraud for several  
 22 reasons. First, because Costello has made multiple misrepresentations about himself and  
 23 his companies to investors, the Subject Twitter Accounts are likely to contain tweets by  
 24 Costello making similar misrepresentations. Second, the purpose of the Subject Twitter  
 25 Accounts appears to be related to Costello's companies and, given Costello's efforts to  
 26 generate interest and demand in his companies in order to drive up their share prices,  
 27 there is reason to believe this activity continued in the Subject Twitter Accounts. Finally,

1 both Costello and Ferraro appear to have used their Subject Twitter Accounts to provide  
 2 material, non-public information about Costello's companies.

### 3           **VIII. PAST EFFORTS TO OBTAIN EVIDENCE.**

4       88. As described above, I have received certain information concerning the  
 5 Subject Facebook Accounts and Subject Twitter Accounts from investors and others  
 6 involved with Costello. However, I understand that the full contents of the Subject  
 7 Facebook and Twitter Accounts can only be obtained, in the Ninth Circuit, by means of a  
 8 search warrant issued under authority of Title 18, United States Code, Sections 2703(a),  
 9 2703(b)(1)(A), 2703(c)(1)(A), and Rule 41(e)(2)(b) of the Federal Rules of Criminal  
 10 Procedure. To my knowledge, there have been no prior attempts to secure a search  
 11 warrant to search and seize these records. On December 30, 2020, a preservation request  
 12 was sent to Facebook, asking that the existing contents of the Facebook accounts GRN  
 13 Holding Corporation, GRNF VIP, GRN Holding Corporation Empire, and Hempstract  
 14 VIP be preserved, under authority of Title 18, United States Code, Section 2703(f)(1), for  
 15 a period of 90 days. On May 28, 2021, I sent a second preservation request to Facebook.

### 16          **IX. INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

17       89. I anticipate executing this warrant under the Electronic Communications  
 18 Privacy Act, in particular 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A), by  
 19 using the warrants to require Facebook and Twitter to disclose to the government copies  
 20 of the records and other information (including the content of communications)  
 21 particularly described in Section I of Attachment B and D. Upon receipt of the  
 22 information described in Section I of Attachment B and D, government-authorized  
 23 persons will review that information to locate the items described in Section II of  
 24 Attachment B and D.

25       90. Based upon my training and experience, communications potentially  
 26 protected by the attorney-client privilege are not typically found in social networking  
 27 applications, such as Facebook and Twitter. If, however, an investigative agent  
 28 conducting the search of the records produced by Facebook and Twitter should identify

1 any electronically stored data that may contain privileged information, the agent will  
2 immediately cease searching the records and one agent (the “taint agent”) and one  
3 Assistant United States Attorney (AUSA) (the “taint counsel”) will be assigned to serve  
4 as a taint team to review potentially privileged material found during the execution of the  
5 warrant. The members of the taint team will have had no prior involvement in the  
6 investigation, and will have no further role in the investigation or prosecution of this case,  
7 unless further privilege issues arise requiring additional review or unless some aspect of  
8 the taint team is litigated in court. The taint team members will not reveal the contents of  
9 any document or file determined to contain privileged material to any other person,  
10 except counsel for a subject of a search warrant or holder of a privilege, unless otherwise  
11 ordered by the court.

12       91. The taint agent will then conduct a review of all data produced by Facebook  
13 and Twitter to identify potentially privileged information. If the taint agent identifies any  
14 documents containing privileged information, the taint agent will segregate and maintain  
15 the documents for later production to the attorney for the holder of the privilege, if  
16 necessary. The taint agent will then seal the materials containing privileged information  
17 pending conclusion of the investigation/prosecution or court order, and arrange for such  
18 materials to be segregated from any materials provided to investigative agents. If the taint  
19 agent has any question about whether such information is privileged, the taint agent will  
20 provide such information to the taint counsel for a determination. If the taint counsel  
21 agrees that such items contain privileged information, the taint counsel will direct the  
22 taint agent to maintain the documents for later production to the attorney for the holder of  
23 the privilege, if necessary, and to arrange for such materials to be segregated from any  
24 materials provided to investigative agents. If the taint counsel has any question about  
25 whether such information is privileged, the taint counsel will submit such information to  
26 the Court in camera for a judicial determination as to whether the information is  
27 privileged. If the Court deems the information to be privileged, the taint agent will  
28 arrange for such materials to be segregated from any materials provided to investigative

1 agents, and maintain the documents for later production to the attorney for the holder of  
2 the privilege, if necessary.

3       92. After the taint agent completes the privilege review, an investigative agent  
4 will conduct the search of the records produced by Facebook and Twitter. The  
5 investigative agent will be responsible for making the initial determination as to whether  
6 particular items fall within the scope of the items to be seized under the warrant. Items  
7 that do not fall within the scope of items to be seized will not be seized.

8       93. If during their relevance review, an investigative agent finds a document or  
9 other tangible item that may contain privileged information, that agent will immediately  
10 place it in a container identified as containing possibly privileged information. The agent  
11 will then provide the container to the taint agent who will take custody of the material.

12           **X. REQUEST FOR NONDISCLOSURE AND SEALING.**

13       94. The United States requests, pursuant to the preclusion of notice provisions  
14 of Title 18, United States Code, Section 2705(b), that Facebook and Twitter be ordered  
15 not to notify any person (including the subscriber or customer to which the materials  
16 relate) of the existence of these warrants for such period as the Court deems appropriate.  
17 The government submits that such an order is justified because notification of the  
18 existence of this Order would seriously jeopardize the ongoing investigation. Such a  
19 disclosure would give the subscriber an opportunity to destroy evidence, change patterns  
20 of behavior, notify confederates, or flee or continue flight from prosecution.

21       95. It is further respectfully requested that this Court issue an order sealing,  
22 until further order of the Court, all papers submitted in support of this application,  
23 including the application and search warrants. I believe that sealing this document is  
24 necessary because the items and information to be seized are relevant to an ongoing  
25 investigation, and law enforcement may still attempt to execute search warrants at other  
26 relevant locations before the investigation concludes. Premature disclosure of the  
27 contents of this affidavit and related documents may have a significant and negative  
28 impact on the continuing investigation and may severely jeopardize its effectiveness.

## XI. CONCLUSION.

2       96. For the reasons set forth above, there is probable cause to believe that  
3 evidence, fruits and/or instrumentalities of Title 18, United States Code, Sections 1343  
4 (Wire Fraud) and 1348 (Securities Fraud) will be found in the electronically stored  
5 information or communications contained and associated with the Subject Facebook and  
6 Twitter Accounts, as well as in the subscriber and log records associated with that  
7 account. Accordingly, by this Affidavit and Warrant, I seek authority for the government  
8 to search all of the items specified in Section I, Attachment B and D (attached hereto and  
9 incorporated by reference herein) to the Warrant, and specifically to seize all of the data,  
10 documents and records that are identified in Section II to that same Attachment to the  
11 Warrant.

  
KATHLEEN MORAN  
Special Agent  
Federal Bureau of Investigations

The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone on this 16th day of June, 2021.

  
BRIAN A. TSUCHIDA  
United States Magistrate Judge

1                   **ATTACHMENT A**  
2                   **Location to be Searched**

3                   This warrant applies to information associated with the Facebook users:

4                   • Justin Costello = user ID 100040587769665  
5                   • GRN Holding Corporation = user ID GRNHoldingCorp  
6                   • GRNF VIP = user ID 910260356004696  
7                   • GRN Holding Corporation Empire = user ID 914636418886355  
8                   • Hempstract VIP = user ID 517576265620242

9  
10                  that are stored at premises owned, maintained, controlled, or operated by Facebook  
11 Inc., a company headquartered in Menlo Park, California.

**ATTACHMENT B**  
**ITEMS TO BE SEIZED**

#### I. Items to be Provided by Facebook:

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook Inc. (“Facebook”), regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

- a. All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.
- b. All activity logs for the account and all other documents showing the user's posts and other Facebook activities from September 1, 2017 to present;
- c. All photos and videos uploaded by that user ID and all photos and videos uploaded by any user that have that user tagged in them from September 1, 2017 to present, including Exchangeable Image File ("EXIF") data and any other metadata associated with those photos and videos;
- d. All profile information; News Feed information; status updates; videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;
- e. All records or other information regarding the devices and internet browsers associated with, or used in connection with, that user ID, including the hardware model, operating system version, unique device identifiers, mobile network information, and user agent string;
- f. All other records and contents of communications and messages made or received by the user from September 1, 2017 to present, including all Messenger activity, private messages, chat history, video and voice calling history, and pending "Friend" requests;

1           g. All “check ins” and other location information;

2           h. All IP logs, including all records of the IP addresses that logged into the  
3 account;

4           i. All records of the account’s usage of the “Like” feature, including all  
5 Facebook posts and all non-Facebook webpages and content that the user has “liked”;

6           j. All information about the Facebook pages that the account is or was a “fan”  
7 of;

8           k. All past and present lists of friends created by the account;

9           l. All records of Facebook searches performed by the account from  
10 September 1, 2017 to present;

11          m. All information about the user’s access and use of Facebook Marketplace;

12          n. The types of service utilized by the user;

13          o. The length of service (including start date) and the means and source of any  
14 payments associated with the service (including any credit card or bank account number);

15          p. All privacy settings and other account settings, including privacy settings  
16 for individual Facebook posts and activities, and all records showing which Facebook  
17 users have been blocked by the account;

18          q. All records pertaining to communications between Facebook and any  
19 person regarding the user or the user’s Facebook account, including contacts with support  
services and records of actions taken.

20           **Facebook is hereby ordered to disclose the above information to the  
21 government within 14 days of issuance of this warrant.**

22           **II. Information to be Seized**

23           All information described above in Section I that constitutes fruits, evidence and  
24 instrumentalities of violations of Title 18, United States Code, Section 1343 (Wire Fraud)  
25 and Section 1348 (Securities Fraud) involving Justin Costello and companies associated  
26 with Costello since September 1, 2017, including, for each user ID identified on  
27 Attachment A, information pertaining to the following matters:

- 1        1. Evidence of any attempt or plan to manipulate the price of any stock or  
2 other securities, including evidence of: (a) planning or executing a plan to obtain control  
3 of a company's publicly-traded securities, (b) matched, cross, or wash trading, and (c)  
4 communications concerning promoting stock or other securities;
- 5        2. Evidence of the solicitation of any investor or potential investor;
- 6        3. Evidence related to the receipt of investment proceeds or any payments to  
7 investors or potential investors;
- 8        4. Evidence related to the transfer, purchase, sale, or disposition of stock or  
9 other securities;
- 10       5. Evidence related to financial transactions associated with Justin Costello,  
11 any entity under his control, or any individual working at the direction of Costello,  
12 including bank accounts or brokerage accounts held by Justin Costello, any entity under  
13 his control, or any individual working at the direction of Costello, expenditures of money  
14 or wealth, and bank and brokerage records;
- 15       6. Evidence related to the receipt of investor funds, including the amount,  
16 purpose of investment, and plans for spending or investing the funds;
- 17       7. Evidence related the possible transfer or disposition of the proceeds of the  
18 fraud, including but not limited: to accounts at banks or other financial institutions;  
19 financial transactions or transfers; the purchase, transfer or sale of assets; the use of the  
20 proceeds of the fraud to buy real property, vehicles, or goods or services; and any  
21 explanations, reports, or other information regarding the amount and sources of funds or  
22 other income;
- 23       8. Evidence of any communications between Justin Costello, any entity under  
24 his control, or any individual working at the direction of Costello and any investors or  
25 potential investors;
- 26       9. Evidence of any communications by Justin Costello, any entity under his  
27 control, or any individual working at the direction of Costello concerning any entity  
28 under Costello's ownership or control;

1       10. Evidence indicating how and when the account was accessed or used, to  
2 determine the geographic and chronological context of account access, use, and events  
3 relating to the crime under investigation and to the account owner;

4       11. Evidence indicating the account owner's state of mind as it relates to the  
5 crimes under investigation;

6       12. Evidence relating to efforts to evade law enforcement or securities  
7 regulators;

8       13. Evidence that serves to identify any person who uses or accesses the  
9 account or who exercises in any way any dominion or control over the account, including  
10 records that help reveal the whereabouts of such person(s).

11      14. Evidence identifying the Android, Apple, or other electronic devices linked to the  
12 account, including make and model, IMEI or other unique numbers identifying any  
13 device;

14      15. Evidence of the geolocation of the user during the use of the provider's  
15 services.

16      16. All subscriber associated with the specified account, including name,  
17 address, local and long distance telephone connection records, or records of session times  
18 and durations, length of service (including start date) and types of service utilized,  
19 telephone or instrument number or other subscriber number or identity, including any  
20 temporarily assigned network address, and means and source of payment for such  
21 service) including any credit card or bank account number;

22      17. Any records of communications between the internet service provider, and  
23 any person about issues relating to the account, such as technical problems, billing  
24 inquiries, or complaints from other users about the specified account. This to include  
25 records of contacts between the subscriber and the provider's support services, as well as  
26 records of any actions taken by the provider or subscriber as a result of the  
27 communications;

1       18. Any address lists, contact lists or other lists associated with the specified  
2 account that may identify co-conspirators or victims; and

3       19. Any and all other log records, including IP address captures, associated  
4 with the specified account.

5  
6 This warrant authorizes a review of electronically stored information, communications,  
7 other records and information disclosed pursuant to this warrant in order to locate  
8 evidence, fruits, and instrumentalities described in this warrant. The review of this  
9 electronic data may be conducted by any government personnel assisting in the  
10 investigation, who may include, in addition to law enforcement officers and agents,  
11 attorneys for the government, attorney support staff, and technical experts. Pursuant to  
12 this warrant, the FBI may deliver a complete copy of the disclosed electronic data to the  
13 custody and control of attorneys for the government and their support staff for their  
14 independent review.

1                           **ATTACHMENT C**  
2                           **Location to be Searched**

3                           This warrant applies to information associated with the following Twitter  
4 accounts:

5                           a.     User name: @IncGrn  
6                           URL: <https://twitter.com/IncGrn>

7                           b.     User name: @GRN Holding Corp  
8                           URL: <https://twitter.com/grnholdingcorp>

9                           c.     User name: @IrHPST  
10                          URL: <https://twitter.com/irhpst>

11                          d.     User name: @computerbux  
12                          URL: <https://twitter.com/computerbux>

13                          that are stored at premises owned, maintained, controlled, or operated by Twitter, a  
14 company headquartered in San Francisco, California.

**ATTACHMENT D**  
**ITEMS TO BE SEIZED**

#### **I. Items to be Provided by Twitter:**

To the extent that the information described in Attachment C is within the possession, custody, or control of Twitter, regardless of whether such information is located within or outside of the United States, including any messages, records, files, logs, or information that have been deleted but are still available to Twitter, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Twitter is required to disclose the following information to the government for each account listed in Attachment C:

- (a) All identity and contact information, including full name, e-mail address, physical address (including city, state, and zip code), date of birth, gender, hometown, occupation, and other personal identifiers;
- (b) All past and current usernames, account passwords, and names associated with the account;
- (c) The dates and times at which the account and profile were created, and the Internet Protocol (“IP”) address at the time of sign-up;
- (d) All IP logs and other documents showing the IP address, date, and time of each login to the account;
- (e) All data and information associated with the profile page, including photographs, “bios,” and profile backgrounds and themes;
- (f) All “Tweets” and Direct Messages sent, received, “favorited,” or retweeted by the account, and all photographs or images included in those Tweets and Direct Messages;
- (g) All information from the “Connect” tab for the account, including all lists of Twitter users who have favorited or retweeted Tweets posted by the account, as well as a list of all Tweets that include the username associated with the account (*i.e.*, “mentions” or “replies”);
- (h) All photographs and images in the user gallery for the account;
- (i) All location data associated with the account, including all information collected by the “Tweet With Location” service;

- (j) All information about the account’s use of Twitter’s link service, including all longer website links that were shortened by the service, all resulting shortened links, and all information about the number of times that a link posted by the account was clicked;
- (k) All data and information that has been deleted by the user;
- (l) A list of all of the people that the user follows on Twitter and all people who are following the user (*i.e.*, the user’s “following” list and “followers” list);
- (m) A list of all users that the account has “unfollowed” or blocked;
- (n) All “lists” created by the account;
- (o) All information on the “Who to Follow” list for the account;
- (p) All privacy and account settings;
- (q) All records of Twitter searches performed by the account, including all past searches saved by the account;
- (r) All information about connections between the account and third-party websites and applications;
- (s) All records pertaining to communications between Twitter and any person regarding the user or the user’s Twitter account, including contacts with support services, and all records of actions taken, including suspensions of the account.

**Twitter is hereby ordered to disclose the above information to the government within 14 days of issuance of this warrant.**

## **II. Information to be Seized**

All information described above in Section I that constitutes fruits, evidence and instrumentalities of violations of Title 18, United States Code, Section 1343 (Wire Fraud) and Section 1348 (Securities Fraud) involving Justin Costello and companies associated with Costello since September 1, 2017, including, for each user ID identified on Attachment C, information pertaining to the following matters:

1       1. Evidence of any attempt or plan to manipulate the price of any stock or  
2 other securities, including evidence of: (a) planning or executing a plan to obtain control  
3 of a company's publicly-traded securities, (b) matched, cross, or wash trading, and (c)  
4 communications concerning promoting stock or other securities;

5       2. Evidence of the solicitation of any investor or potential investor;

6       3. Evidence related to the receipt of investment proceeds or any payments to  
7 investors or potential investors;

8       4. Evidence related to the transfer, purchase, sale, or disposition of stock or  
9 other securities;

10       5. Evidence related to financial transactions associated with Justin Costello,  
11 any entity under his control, or any individual working at the direction of Costello,  
12 including bank accounts or brokerage accounts held by Justin Costello, any entity under  
13 his control, or any individual working at the direction of Costello, expenditures of money  
14 or wealth, and bank and brokerage records;

15       6. Evidence related to the receipt of investor funds, including the amount,  
16 purpose of investment, and plans for spending or investing the funds;

17       7. Evidence related the possible transfer or disposition of the proceeds of the  
18 fraud, including but not limited: to accounts at banks or other financial institutions;  
19 financial transactions or transfers; the purchase, transfer or sale of assets; the use of the  
20 proceeds of the fraud to buy real property, vehicles, or goods or services; and any  
21 explanations, reports, or other information regarding the amount and sources of funds or  
22 other income;

23       8. Evidence of any communications between Justin Costello, any entity under  
24 his control, or any individual working at the direction of Costello and any investors or  
25 potential investors;

26       9. Evidence of any communications by Justin Costello, any entity under his  
27 control, or any individual working at the direction of Costello concerning any entity  
28 under Costello's ownership or control;

- 1        10. Evidence of the identity of the user(s) of the account;
- 2        11. Evidence of the location or whereabouts, both current and historical, of the
- 3 user(s) of the account;
- 4        12. Evidence indicating the account user's state of mind as it relates to the
- 5 crime under investigation;
- 6        13. Evidence of the identity or location of co-conspirators engaged in criminal
- 7 conduct;
- 8        14. All messages, documents, and profile information, attachments, or other
- 9 data that serves to identify any persons who use or access the account specified, or who
- 10 exercise in any way any dominion or control over the specified account;
- 11       15. Any address lists or buddy/contact lists associated with the specified
- 12 account, and other information regarding potential co-conspirators, criminal associates, or
- 13 suspected victims or targets (i.e., attempted victims) of the fraudulent conduct and
- 14 scheme;
- 15       16. Evidence of ownership or use of any items used to facilitate the fraudulent
- 16 scheme or the existence and location of any proceeds;
- 17       17. All subscriber records associated with the specified account, including
- 18 name, address, local and long distance telephone connection records, or records of
- 19 session times and durations, length of service (including start date) and types of service
- 20 utilized, telephone or instrument number or other subscriber number or identity,
- 21 including any temporarily assigned network address, and means and source of payment
- 22 for such service) including any credit card or bank account number;
- 23       18. Any and all other log records, including IP address captures, associated
- 24 with the specified account;
- 25       19. Any records of communications between Twitter, and any person about
- 26 issues relating to the account, such as technical problems, billing inquiries, or complaints
- 27 from other users about the specified account. This to include records of contacts between
- 28

1 the subscriber and the provider's support services, as well as records of any actions taken  
2 by the provider or subscriber as a result of the communications;

3       20. Any complaints and records relating to any adverse action taken on the  
4 account, including an account suspension for violations of Twitter terms of service,  
5 whether temporary or permanent, the details surrounding that adverse action, and any  
6 communications related thereto.

7  
8 This warrant authorizes a review of electronically stored information, communications,  
9 other records and information disclosed pursuant to this warrant in order to locate  
10 evidence, fruits, and instrumentalities described in this warrant. The review of this  
11 electronic data may be conducted by any government personnel assisting in the  
12 investigation, who may include, in addition to law enforcement officers and agents,  
13 attorneys for the government, attorney support staff, and technical experts. Pursuant to  
this warrant, the FBI may deliver a complete copy of the disclosed electronic data to the  
custody and control of attorneys for the government and their support staff for their  
independent review.

14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28